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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,048	11/17/2003	Victor Chartrand	03-1124-CHART	4279
26357	7590	03/14/2005	EXAMINER	
ROBERT M. HUNTER PLLC P.O. BOX 2709 KAMUELA, HI 96743			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/716,048	CHARTRAND, VICTOR	
	Examiner	Art Unit	
	Quynh H Nguyen	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 10-15, 24 and 35-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-15, 24 and 35-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

2. Claims 1 and 57 are objected to because of the following informalities: the limitation recited in claims 1 and 57 "eliminating the practice of **spitting**" should be -- eliminating the practice of **splitting**--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. Claims 1-4, 10-15, 24, 35, 38-41, and 49-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Catron et al. (U.S. Patent 5,018,191).

Regarding claims 1, 51-53, and 55-57, Catron et al. teach the steps of: informing the customers that one of a plurality of unique sets (col. 4, lines 42-46) of symbol headings (#, #3, #F) is normally associated with one type of communications device that is connectable to a telecommunications system (col. 3, lines 3-20); assigning one of a plurality of common 7-digit telephone numbers (col. 4, line 67 – one or more digits) to each selected customer of the telecommunications system within each area code of each local area and granting each selected customer having a specific communications device that is connected to the telecommunications system to use a combination comprising any one of the unique sets of symbols headings plus the common 7-digit telephone number (col. 4, lines 66- 68 – prefix plus one or more digits) to identify the

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specific device (col. 2, lines 3-19) other than a voice landline device to the other customers of the telecommunications system (col. 3, lines 3-20 – electronic mail); receiving a sequence of signals representing a set of symbol headings that has been dialed by a caller (col. 4, lines 42-46), the combination of the specific set of symbol headings plus the common telephone number identifying the communication device that is the destination of the call (col. 4, lines 41-46). The Catron reference requires a phone line, when a caller dialed a prefix plus one or more digits (7-digit, 8-digit, or 9-digit) the interexchange carrier network looks up information stored in a table and route the call to a destination without determining the type of communications device to which the call is directed.

Even though Catron et al. do not explicitly teach providing 7.92 million assignable combinations for facsimile or second landline voice communications device within each area code, and 71.28 million assignable combinations for cellular telephone communications devices within each area code, which equals a grand total of 87.12 million assignable combinations available within each area code; thereby increasing by a factor of 11 the number of assignable combinations within each area code when compared to the number of assignable numbers available within an area code of a conventional telecommunications system; thereby allowing at least the number of area codes to be reduced from 302 to 54 when compared to said conventional telecommunication system; thereby eliminating the overlay practice of providing two area codes in a specific local area and requiring customers to dial three extra digits or ten digits to reach a specific communications device within said specific local area; and

thereby eliminating the practice of splitting a region of said conventional telecommunications system previously served by an existing single area code into two halves whenever the existing area code reaches its maximum capacity of 7.92 million subscribers, and adding a new area code in one of the halves of the region, forcing one half or 3.96 million subscribers to accept a new 10-digit telephone number containing said new area code, at a great level of inconvenience, stress and cost of changing telephone numbers with the addition of each new area code.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that the above-mentioned limitations are fact and understood in Catron. Furthermore, they are not positive limitations and add no weight to the claim.

Regarding claims 2-4, 11-13, and 38-41, Catron et al. teaches a set of symbol headings is a # symbol, a * symbol, a digit plus a * symbol, the # symbol plus the specific common 7-digit telephone number (one or more digits) (col. 4, line 66 through col. 5, line 4) identifies a specific fax machine or a specific second voice line with or without an associated facsimile machine assigning a directory number for the destination, the * symbol plus the specific common 7-digit telephone number identifies a first specific or another cellular telephone (col. 3, lines 3-20).

Claims 10 and 15 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Catron et al. teach determining the destination indicated by the combination without determining the type of communications device to which the call is directed (col. 3, lines 10-20 and line 66 through col. 4, line 7). The Catron reference only requires a phone line, when a caller dialed a prefix plus one or

more digits (7-digit, 8-digit, or 9-digit) the interexchange carrier network looks up information stored in a table and route the call to a destination.

Regarding claim 14, Catron et al. do not teach directing the call to a cellular processing network if the set of prefix characteristics indicates that the call is made to a cellular telephone. Obviously, a call to a cellular telephone can prefix such as *, * plus one or more digits, for example *2 or *C.

Claims 24 and 35 are rejected for the same reasons as discussed above with respect to claim 15. Furthermore, Catron et al. teach an administrative subsystem (Fig. 1, 114 and 156), a network (Fig. 1) having a routing apparatus including a switching component ("LEC 106") and an identification component for processing a call to a destination ("processor 114"), the call including a sequence of signals indicating a set of prefix characteristics (such as #) and a telephone number for a specific communication device (col. 4, line 41 through col. 5, line 4); and the heading does not indicate to the routing apparatus that the specific communication device is a particular type of communication (col. 4, line 66 through col. 5, line 4). Catron's system requires a phone line, when a caller dialed a prefix plus one or more digits (7-digit, 8-digit, or 9-digit) the interexchange carrier network looks up information stored in a table and route the call to a destination, facsimile is only an example.

Claims 49 and 50 are rejected for the same reasons discussed above with respect to the claims 1 and 35. Furthermore, Catron et al. teach the caller uses as the heading a # for a facsimile device (col. 4, line 66 through col. 5, line 4). Catron et al. do not explicitly suggest a * for a first cellular device, or a 2*, a 3*, a 5*, a 6*, a 7*, a 8*, or

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a* for another cellular device. However since Applicant recites the word or in the claim, Examiner only needs to address the first part of the or clause as shown above.

Regarding claim 54, Catron et al. teach accepting a 10-part or telephone number comprising a heading and the common 7-digit telephone number, the heading comprising a two-digit number in the range 20 through 99 plus a * (col. 4, line 66 through col. 5, line 4 - a # plus one or more digits).

Claim 58 is rejected for the same reasons as discussed above with respect to claims 1 and 35.

4. Claim 36-37, 42-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Catron et al. (U.S. Patent 5,018,191) in view of Brankley et al. (U.S. Patent 5,467,390).

Regarding claims 36 and 44, Catron et al. teach a facsimile machine (Fig. 1, 104, 104). Catron et al. do not teach the communications device of the subscriber is selected from the group consisting of: another voice landline telephone; a cellular or wireless telephone; and a pager. However, facsimile machine in Catron is only an example.

Brankley et al. teach the specific communications device of the particular subscriber is selected from the group consisting of: a cellular or wireless telephone (col. 5, line 39 - a Cellular Phone or PCN); and a pager col. 5, line 38 - Beeper).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate another voice land line telephone; a cellular or

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wireless telephone; and a pager, as taught by Brankley, in Catron's system so that the subscriber can select from a variety of communications devices.

Regarding claim 37, Catron et al. teach the code is selected from a first symbol that precedes an area code, and a second symbol that follows an area code (col. 4, line 66 through col. 5, line 4 - #3 or #F); and Brankley et al. teach a third symbol that precedes an area code, and a fourth symbol that follows an area code (col. 8, lines 49-65 - utilizing prefix coding also extend to utilize prefix that follows an area code).

Claim 42 is rejected for the same reasons as discussed above with respect to claim 35. Furthermore, Brankley et al. teach means for assigning a common telephone number to the particular subscriber (col. 5, line 35 and col. 7, lines 59-62); obviously a telephone call to directory number 215-466-6600 alone is an indication that a caller desires to reach the specific land line telephone.

Regarding claim 43, Brankley et al. teach at least one communication device - landline telephone is in service (col. 7, lines 59-62).

Claims 45-48 are rejected for the same reasons as discussed above with respect to claims 2-4.

Response to Arguments

5. Applicant's arguments with respect to claims 1-4, 10-15, 24, and 35-58 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that the Brankley et al. reference requires a prefix code that is assigned to each type of message carried by the system. Examiner agrees with Applicant and withdraws the previous Non-final office action sent 9/27/04.

Applicant argues that “the Catron et al. reference requires that the telecommunications system be aware of and operate in a way that is consistent with a dialed prefix that is assigned to each facsimile machine that is connected to the system”. Examiner respectfully disagrees. The facsimile machine in Catron is only an example. The Catron reference requires a phone line, when a caller dialed a prefix plus one or more digits (7-digit, 8-digit, or 9-digit) the interexchange carrier network looks up information stored in a table and route the call to a destination without determining the type of communications device to which the call is directed (col. 3, line 66 through col. 4, line 7 and col. 4, line 66 through col. 5, line 4).

The novel aspect of the applicant's invention is recited in amended claims 1 and 49 (Remarks page 20 and 21) are fact and understood in Catron reference. Furthermore, they are not positive limitations and add no weight to the claims.

Applicant argues “Brankley et al. and Catron et al. references have a major flaw in that they allow a facsimile to be sent to the wrong subscriber under certain conditions”. Examiner respectfully submits that so does Applicant's. Applicant further argues that the flaw is not present in the applicant's invention. Examiner respectfully disagrees. There are problem in all systems, and all systems allow for mistakes in dialing. For example, misdialing. Applicant further argues that “with the applicant's invention, the current landline telephone, even if it were disconnected, would still be assigned to the correct subscriber and the correct destination for the facsimile would simply be determined by adding the # symbol to the disconnected landline telephone

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number". This is irrelevant and wrong because as soon as a number was disconnected, the telephone company would reassign the disconnected number to a new subscriber.

Lastly, Applicants complaints about the overly lengthy prosecution of this case and the delayed of allowing this case. Examiner respectfully submits that Applicant filed the CIP to add new matter to the case, Applicants was still working on his invention while under prosecution, and the claims are clearly not in condition for allowance.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
March 7, 2005


JACK CHIANG
PRIMARY EXAMINER